

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on November 7, 1994, the following members were present:

Bob Anderson, Chairman
Bob Rowe, Vice Chairman
Nancy McCaffree, Commissioner
Danny Oberg, Commissioner

Commissioner Fisher was on vacation, but left his votes with the Commission Secretary.

APPEARANCE
Dennis Crawford
Utility Division

(632) In the matter of SPRINT - DOCKET N-94-99; On October 19, 1994, Sprint filed to make changes to the minimum spending commitment discount structure for "Real Solutions" services. Commissioner McCaffree moved to approve the filing. Commissioner Rowe seconded the motion, which passed unanimously.

(633) In the matter of TECOM - DOCKET 94.7.25; On October 28, 1994, MCI Telecommunications filed a petition to intervene. This petition was not timely filed. Commissioner Oberg moved to approve late intervention by MCI with the provision that the procedural schedule not be disrupted or altered by MCI's late filing. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE
Bonnie Lorang, Laura Calkin

(634) In the matter of Docket T-94.102.PCN; John E. Rian dba Vehicle Transport, Great Falls, MT has filed an application for Montana intrastate temporary authority to transport new and used vehicles, Class B, between all points and places in the following counties: Blaine, Lake, Jefferson, Granite, Glacier, Toole, Pondera, Teton, Phillips, Flathead, Missoula, Yellowstone, Chouteau, Lewis & Clark, Cascade, Silver Bow, Hill, Hill, Musselshell, Fergus, Broadwater, Gallatin, Powell, Deerlodge, Judith Basin and Liberty.

The application is supported by an affidavit from one shipper, Eli's Inc. dba Electric City Auto Auction.

Applicant requests a waiver of the rule requiring filing of a permanent application in conjunction with the temporary application.

Commissioner Oberg moved to approve the waiver requested and grant temporary authority. Commissioner Rowe seconded the motion, which passed. Commissioners Anderson, Rowe, Oberg and McCaffree voted aye. Commissioner Fisher's vote was not counted as his wording was such that it did not match or agree with the motion made by Commissioner Oberg.

(635) In the matter of TN1655; Travel Inc. of Choteau, Incorporated dba The Main Connection Travel Service, Choteau, Montana requests permission to suspend PSC No. 9280 for a period of six months, November 14, 1994 to May 14, 1995.

Class B - Passengers and baggage within the following counties: Flathead, Glacier, Toole, Liberty, Hill, Blaine, Phillips, Pondera, Chouteau, Fergus, Teton, Lake, Missoula, Powell, Lewis & Clark, Cascade, Judith Basin, Wheatland, Meagher, Broadwater, Jefferson, Silver Bow, Madison & Gallatin. Limitations: 1) Transportation must originate and

terminate in Teton County; within a one (1) mile radius of the U.S. Post Office in Augusta, Montana (located in northern Lewis & Clark County; or the Great Falls International Airport (located in Cascade County, Montana). 2) Transportation is limited to fifteen (15) passengers or less. 3) Transportation of railroad crews is prohibited. 4) Transportation of passengers in limousine service is prohibited. 5) Transportation of passengers in taxi service is prohibited in Toole, Glacier, Liberty and Pondera Counties. 6) Passengers and baggage from Great Falls International Airport is limited to transportation to Main Connection Tours in Teton County and returning to the Great Falls International Airport.

Commissioner Rowe moved to approve the requested suspension. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Fisher voted aye.

(636) In the matter of TN1656 - Hahn Ranch Trucking Co. dba Hahn Ranch Enterprises, Townsend, Montana requests permission to remove the dba from their certificate, PSC No. 3377.

Class B - Livestock between all points and places in the State of Montana.

Commissioner Rowe moved to approve the requested removal of the dba from certificate, PSC No. 3377. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Fisher voted aye.

(637) In the matter of TN1657 - Fred M. Zweifel dba Circle Z Enterprises, Virginia City, Montana requests permission to suspend PSC No. 9270 for a period of six months, October 28, 1994 to April 28, 1995.

Class B - Passengers within the City of Virginia City and a two mile radius thereof.

Commissioner Oberg moved to grant the requested suspension. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Fisher voted aye.

(638) In the matter of TN1658 - Helena Unlimited, Inc. dba Last Chance Tours, Helena, Montana requests permission to suspend PSC No. 2516 for a six months period, October 30, 1994 to April 30, 1995.

Class A - Persons in the City of Helena, Montana.
Limitations: This certificate may not be sold, leased, transferred or assigned.

Class B- Passengers in charter service by means of open-air tour vehicles pulled by replica vintage locomotive-style vehicles or in open-air trolley-style vehicles, within the City of Helena, Montana, and a fifteen (15) mile radius thereof.,

Commissioner Rowe moved to approve the requested suspension. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Fisher voted aye.

(639) In the matter of Docket T-439 - Intermountain Molasses & Transport, Inc., Billings, Montana requests reconsideration of the cancellation of Montana PSC No. 9065. The authority was cancelled on October 17, 1994 for failure to file a 1993 annual report. The annual report filing was submitted on November 2, 1994.

Class B - Bulk commodities, liquid, in tank vehicles between all points and places in the State of Montana.

Limitations: (1) Transportation between points served by rail carriers or Class A motor carriers is prohibited.
(2) Transportation of petroleum and petroleum products (including liquid asphalt and road oil) in bulk, in tank vehicles, is prohibited.

Commissioner McCaffree moved to grant reconsideration for the cancellation and to reinstate the permit. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Fisher left his proxy to Commissioner McCaffree on this item.

(640) In the matter of the approval of the December Calendar; Commissioner McCaffree moved to approve the December calendar. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Fisher voted aye.

There being no further business to come before the Commission the meeting was adjourned.

BOB ANDERSON, Chairman

BOB ROWE, Vice Chairman

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on November 7, 1994, the following members were present:

Bob Anderson, Chairman
Bob Rowe, Vice Chairman
Nancy McCaffree, Commissioner
Danny Oberg, Commissioner

Commissioner Fisher was on vacation and did not leave votes on the following issues.

APPEARANCE
Robin McHugh

(641) In the matter of Docket No. 94.11.49 - Section III of EPAct; Commissioner Rowe moved to approve the draft notice of opportunity for hearing and request for comments. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE
Martin Jacobson, Mike Lee, Robin McHugh

(642) In the matter of Montana Dakota Utilities N-94-53, a motion by Shell Oil Co. for a post hearing conference of parties to discuss Montana Dakota Utilities Cost of Service filing; Commissioner McCaffree moved to deny the request of Shell Oil Company for a post hearing conference. Commissioner Oberg seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

BOB ANDERSON, Chairman

BOB ROWE, Vice Chairman

NANCY McCAFFREE, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, November 7, 1994, the following members were present:

Bob Anderson, Chairman
Bob Rowe, Vice Chairman
Nancy McCaffree, Commissioner
Danny Oberg, Commissioner

Commissioner Fisher was absent but did leave a vote on the following issue.

APPEARANCE
Bonnie Lorang, Wayne Budt

(643) In the matter of the federal preemption of certain areas of intrastate motor carrier regulation; Commissioner Oberg moved to adopt staff recommendations to 1) NOT regulate uniform cargo liability rules, bill of lading or receipts, cargo credits or provide antitrust immunity for joint line rates, routes, classifications or mileage guides for intrastate property carrier and; 2) CONTINUE to economically regulate the transportation of waste water and waste oil for disposal purposes. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Fisher voted to concur with staff's recommendation.

There being no further business to come before the Commission the meeting was adjourned.

BOB ANDERSON, Chairman

BOB ROWE, Vice Chairman

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, November 14, 1994, the following members were present:

Bob Rowe, Chairman
Dave Fisher, Commissioner
Nancy McCaffree, Commissioner
Danny Oberg, Commissioner

Commissioner Anderson was absent, but left votes on the following issues with the Commission Secretary.

APPEARANCE
Dan Elliott, Administrator
Utility Division

(644) In the matter of WEIDNER VS. PTI - DOCKET 94.3.15 - Mr. Weidner has failed to respond to PTI's Motion to Dismiss within the time provided by the Procedural Order; and staff has learned that Mr. Weidner has left the state. An order dismissing the complaint without prejudice has been distributed. Commissioner McCaffree moved to approve the dismissal of the complaint. Commissioner Fisher seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

(645) In the matter of the CITY OF BIG TIMBER - DOCKET 94.9.38 - on September 13, 1994, the City of Big Timber filed an application for an order authorizing a sewer rate increase to provide revenues to meet increased operation and maintenance expenses and to conduct capital improvements to the system. The proposed 34% increase in user fees will generate approximately \$35,905 in additional revenue from the user fees. A Notice of Opportunity For Public Hearing was issued with protests and requests for hearing due November 3, 1994. No protest or request for hearing has been received. A default order has been drafted. Commissioner McCaffree moved to grant Default Order No. 5812. Commissioner Fisher seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

(646) In the matter of PSC OCC - DOCKET 94.2.8 - Pursuant to Commission direction, a draft order (5778c) has been distributed which dismisses the Montana Department of Administration, Information Services Division as a Respondent Party from the OCC Docket. Commissioner Fisher moved to approve Draft Order No. 5778C. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

APPEARANCE
Bonnie Lorang

Transportation Division

(647) In the matter of Docket T-94.35.PCN - L & B Busing, Inc., Florence, Montana has applied for a certificate to transport passengers in charter service, Class B, between all points and places in the State of Montana. Limitations: Transportation must originate in and return to counties of Beaverhead, Deer Lodge, Granite, Lake, Mineral, Missoula, Powell, Sanders, and Silver Bow.

The hearing is scheduled for November 30, 1994, in Missoula. Applicant has filed a Motion to Dismiss Application Without Prejudice. The hearing may be vacated. Commissioner Fisher moved to authorize staff to vacate hearing. Commissioner Oberg seconded the motion, which passed. Commissioner Anderson left a vote to dismiss the application without prejudice.

(648) In the matter of Docket T-94.68.ST - Ray J. and Ella M. Lystad dba RaEll's Mobile Moving, Glendive, Montana filed an application for transfer of Montana Intrastate Certificate of Public Convenience and Necessity, PSC No. 3976 to Ray J. Lystad dba RaEll's Mobile Moving, Glendive, Montana.

Class B - New and used house trailers, designed to be drawn by motor vehicles, with and without accessories and contents (owner's furniture, fixtures and personal property) in tow-away service, from Glendive and points within a radius of 150 miles in any direction from said city to all points and places in the State of Montana and from all points and places in the State of Montana to Glendive and points within a radius of 150 miles in any direction from said city.

Applicants request the application be withdrawn and the docket be closed.

Commissioner Oberg moved to grant applicant's request for withdrawal of the application. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

(649) In the matter of Docket T-94.94.PCN - Great Falls Capital Corporation, Great Falls, Montana has filed an application for a Montana Intrastate Certificate of Public Convenience and Necessity. Parties have stipulated to the following grant of authority:

Class B - Persons and baggage between points and places within a 150 mile radius of Great Falls, Montana. Limitations: 1) Transportation must originate at facilities located at the Great Falls International Airport. 2) Transportation is limited to taxi's or vehicles with a maximum seating capacity of six individuals including the driver. 3) Transportation by limousines is prohibited.

Commissioner McCaffree moved to approve the application for authority. Commissioner Fisher seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

(650) In the matter of TN1659 - Manley R. Gauger dba City Delivery Service, Billings, Montana requests that PSC No. 1571 be suspended November 7, 1994 to May 7, 1995.

Class C - Property within the City of Billings, Montana, and to or from points tributary thereto, but within a distance not exceeding ten (10) miles in any direction from said city.

Class B - Household goods (as defined by Commission) from Billings, Montana and points within a radius of ten (10)

miles in any direction from said city to all points and places in the State of Montana and from all points and places in the State of Montana to Billings and points within a radius of ten (10) miles in any direction from said city.

Commissioner McCaffree moved to suspend PSC No. 1571 for 6 months. Commissioner Oberg seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

(651) In the matter of TN1660 - Fischer's Storage & Transfer, Inc., Glasgow, Montana requests permission to continue the lease of PSC No. 2762 to Glasgow Moving & Storage, Inc. for one year, November 9, 1994 to November 9, 1995.

Class B - Household goods (as defined by Commission) with shipments originating from Valley County to all points in the State of Montana, and from all points in the State of Montana to destination in Valley County, Montana.

Commissioner Oberg moved to approve continuation of the lease for one year. Commissioner Fisher seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

(652) In the matter of Docket T-406 - Charles O. Maki dba Whitebird Farms, Columbus, Montana requests reconsideration of the cancellation of Montana PSC No. 5587. The authority was cancelled on October 17, 1994 for failure to file a 1993 annual report. The annual report filing was submitted on November 9, 1994.

Class B - Livestock between all points and places in the State of Montana.

Commissioner McCaffree moved to approve the request for reconsideration of the cancellation of PSC No. 5587 and to reinstate. Commissioner Fisher seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

There being no further business to come before the Commission the meeting was adjourned.

BOB ANDERSON, Chairman

BOB ROWE, Vice Chairman

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of

Montana held at the Commission's Offices in Helena, Montana, on Monday, November 14, 1994, the following members were present:

Bob Rowe, Chairman
Dave Fisher, Commissioner
Nancy McCaffree, Commissioner
Danny Oberg, Commissioner

Commissioner Anderson was absent, but left votes on the following issue(s) with the Commission Secretary.

APPEARANCE

Martin Jacobson, Dennis Crawford

(653) In the matter of Docket No. 94.8.35 - Energy West for a waiver of certain Natural Gas Pipeline Safety rules for its West Yellowstone operations; Commissioner Fisher moved to approve on an interim basis a waiver of CFR Part 193 as it pertains to the Non-destructive testing of LNG storage tank and to notice the request to the public for comment. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

(654) In the matter of N-94-53 - Montana Dakota Utility electric COS filing for information purposes, ARM 38.5.194(3); Commissioner McCaffree moved to approve the staff draft of a Notice of Commission Action dealing with Shell Oil requesting a post hearing conference (denied). Commissioner Oberg seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

There being no further business to come before the Commission the meeting was adjourned.

BOB ANDERSON, Chairman

BOB ROWE, Vice Chairman

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, November 14, 1994, the following members were present:

Dave Fisher, Commissioner
Nancy McCaffree, Commissioner

Commissioner Anderson participated in this worksession via telephone conference call.

APPEARANCE
Ron Woods, Martin Jacobson

(655) In the matter of Docket No. 92.9.55 - Lone Mountain Springs request for reconsideration; Commissioner McCaffree moved to adopt draft order as amended. Commissioner Anderson seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

BOB ANDERSON, Chairman

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, November 21, 1994, the following members were present:

Bob Rowe, Chairman
Dave Fisher, Commissioner
Nancy McCaffree, Commissioner
Danny Oberg, Commissioner

Commissioner Anderson was absent, but left votes on the following issues with the Commission Secretary.

APPEARANCE
Dan Elliott, Administrator
Utility Division

(656) In the matter of PTI/USWC Class Filing - Docket 94.10.44 - Petitions to intervene were received from Montana Consumer Counsel and Montana Telephone Association. These petitions were not timely filed. Commissioner Fisher moved to approve the petition to intervene under the condition that the intervention does not delay the originally established procedural schedule. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

(657) In the matter of USWC - Docket N-94-102 - On October 2, 1994, USWC filed Tariff Transmittal 94-29 to introduce a new Residence Voice Messaging Service option called "Mailbox Only." Commissioner McCaffree moved to approve the tariff filing. Commissioner Oberg seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

APPEARANCE
Bonnie Lorang
Transportation Division

(658) In the matter of Docket T-9925 - Montana Recycling, Inc.,

Missoula, Montana was granted operating authority by Order No. 6171. Compliance has never been met (insurance or vehicle identifiers). An Order to Show Cause was issued October 28, 1994, with no response. Commissioner Fisher moved to cancel authority. Commissioner Oberg seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

(659) In the matter of Docket T-94.35.PCN - L & B Busing, Inc., Florence, Montana has applied for a certificate to transport passengers in charter service, Class B, between all points and places in the State of Montana. Limitations: Transportation must originate in and return to counties of Beaverhead, Deer Lodge, Granite, Lake, Mineral, Missoula, Powell, Sanders, and Silver Bow.

Applicant has filed a Motion to Dismiss Application Without Prejudice.

Commissioner Fisher moved to dismiss the application without prejudice. Commissioner Oberg seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

(660) In the matter of TN1661 - Robert Roberts dba P.D.Q. Transfer, Billings, Montana requests that PSC No. 983 be suspended for an initial six month period of time, November 7, 1994 to May 7, 1995.

Class B - Household goods (as defined by Commission) from Billings and points within a radius of ten (10) miles in any direction from said city to all points in the State of Montana and from all points and places in the State of Montana to Billings and points within a radius of ten (10) miles in any direction from said city.

Commissioner McCaffree moved to suspend PSC No. 983 for 6 months. Commissioner Fisher seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

(661) In the matter of TN1662 - Rodney and Ruth Aden dba First Class Tours, Polson, Montana request Commission cancellation of PSC No. 9296.

Class B - Passengers to all points and places within the following counties: Lake, Flathead, Missoula, Sanders, Mineral, Glacier, Pondera, Teton, Lewis & Clark, Powell, Granite, Ravalli, Deer Lodge, Jefferson, Silver Bow, Beaverhead, Madison, Gallatin, Cascade, Judith Basin, Meagher, Park, Sweetgrass, Broadwater, and Lincoln. Limitations: (1) Transportation must originate and terminate in Lake County; (2) Transportation will not be provided by limousine; (3) Transportation of railway crews is prohibited; (4) Transportation shall be by vans, up to 16 passengers per van; (5) Transportation will be by round-trip tours originating and terminating from the same location; (6) Transportation to airports is prohibited; (7) Transportation shall be in groups no smaller than three(3).

Commissioner McCaffree moved to cancel PSC No. 9296. Commissioner Oberg seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

There being no further business to come before the Commission the meeting was adjourned.

BOB ANDERSON, Chairman

BOB ROWE, Vice Chairman

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, November 21, 1994, the following members were present:

Bob Rowe, Commissioner
Dave Fisher, Commissioner
Nancy McCaffree, Commissioner
Danny Oberg, Commissioner

Commissioner Anderson was absent and did not leave votes on the following issue(s).

APPEARANCE

Bonnie Lorang, Denise Peterson

(662) In the matter of Docket No. T-94.6.PCN - the application by Harry Ellis dba Customized Services, Bozeman, Montana for a certificate of Public Convenience and Necessity; Commissioner McCaffree moved to direct staff to draft an order granting the Class D application. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson

(663) In the matter of Docket No. T-93.33.DR, the application by Grouse Mountain, Whitefish, Montana for a declaratory ruling on primary incidental transportation, - Commissioner Fisher moved to authorize staff to answer and defend the petition for judicial review as amended and to enter into stipulation to defer or continue court action if such is requested by parties. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Martin Jacobson, David Burchett, Robin McHugh

(664) In the matter of the Commission's discussion of transportation deregulation, federal preemption and litigation; Commissioner Fisher moved to join the Montana PSC in the Coalition Against Federal Preemption of State Motor Carrier Regulation to seek a stay of effective date and a determination by an appropriate court that the federal preemption of intrastate motor carriers is improper and unlawful. Commissioner McCaffree seconded the motion, which passed. Commissioners Fisher, McCaffree and Oberg voted aye.

Commissioner Rowe dissented.

There being no further business to come before the Commission the meeting was adjourned.

BOB ROWE, Vice Chairman

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, November 28, 1994, the following members were present:

Bob Anderson, Chairman
Bob Rowe, Vice Chairman
Dave Fisher, Commissioner
Nancy McCaffree, Commissioner
Danny Oberg, Commissioner

APPEARANCE
Dan Elliott, Administrator
Utility Division

(665) In the matter of PTI - DOCKET N-94-103, On November 3, 1994, PTI proposed to re-introduce a residential additional line promotion. This promotion would waive the non-recurring charge. Commissioner Rowe moved to approve the non-recurring charge as long as it is consistent with US West Order. Commissioner McCaffree seconded the motion which passed. Commissioners Anderson, Fisher, McCaffree and Rowe voted aye. Commissioner Oberg Dissented.

(666) In the matter of MDU Resources Group, Inc. - DOCKET 94.11.51, On November 9, 1994, MDU filed an application for authority to issue up to \$50,000,000 of short-term indebtedness. The short-term indebtedness will either be in the form of ordinary unsecured Promissory Notes and/or in the form of Commercial Paper. This application is a continuance of the authority granted to MDU by the Commission in Docket No. 92.9.52, Order No. 5656. Commissioner McCaffree moved to adopt order no. 5816, approving the filing. Commissioner Rowe seconded the motion, which passed unanimously.

(667) In the matter of USWC - DOCKET N-94-105, On November 14, 1994, pursuant to the Company's ISDN tariff, USWC filed for approval to provide ISDN lines to Sentinel High School in Missoula and C.M. Russell High School in Great Falls. Commissioner Rowe moved to approve the USWC filing. Commissioner Fisher seconded the motion, which passed unanimously.

(668) In the matter of CONOCO PIPE LINE CO. - DOCKET 94.10.47,

On October 28, 1994, Conoco Pipe Line Co. filed an application for an order authorizing Conoco to institute a 1/10% loss allowance on Montana intrastate movements to cover losses due to shrinkage and evaporation during transportation and to collect interest on all overdue transportation invoices. This Application was neither a rate increase nor a decrease. A Notice of Application and Intervention Deadline was issued November 2, 1994 with Petitions to Intervene due November 22, 1994. No Petitions to Intervene have been received. A default order has been drafted. Commissioner Rowe moved to adopt order no.5814, approving the filing. Commissioner Fisher seconded the motion, which passed unanimously.

(669) In the matter of USWC - DOCKET N-94-104, On November 14, 1994, USWC filed Tariff Transmittal 94-31 to introduce a new service option called Message Waiting Indication Audible/Visual. Commissioner Rowe moved to approve USWC filing. Commissioner Fisher seconded the motion, which passed unanimously.

(670) In the matter of YELLOWSTONE PIPE LINE CO. - DOCKET 94.10.48, On October 28, 1994, Yellowstone Pipe Line Co. filed an application for an order authorizing Yellowstone to increase rates and charges to shippers on its Billings, Montana to Bozeman, Helena, Great Falls and Missoula, Montana refined products common carrier pipeline. The total requested increase is for \$507,000, which is an increase in total annual revenues of 10%. A Notice of Application and Intervention Deadline was issued November 2, 1994 with Petitions to Intervene due November 22, 1994. No Petitions to Intervene have been received. A default order has been drafted. Commissioner McCaffree move to adopt order no. 5815, approving the filing. Commissioner Rowe seconded the motion, which passed unanimously.

(671) AT&T - DOCKET N-94-106, On November 15, 1994, AT&T filed Advice 94-25 to introduce a new service called DIRECTORY LINK Service. This new service provides customers with an option to have AT&T complete a call to a number obtained through Directory Assistance without hanging up and redialing. Commissioner Rowe moved to approve AT&T filing. Commissioner Fisher seconded the motion, which passed unanimously.

APPEARANCE
Bonnie Lorang
Transportation Division

(672) In the matter of Docket No.TN1664 - Billie G. Williams dba Arrowhead Transportation, Billings, Montana requests permission to continue the lease of PSC No. 9160 to Earlybird Enterprises, Inc., Sheridan, Wyoming for a period of one year, Commissioner McCaffree moved to approve the lease from November 18, 1994 to November 18, 1995.

Class C - Property, within the city of Miles City, Montana, and a radius of one hundred fifty (150) miles thereof.
Limitations: Transportation of property on or between points on routes now served by Class "A" carriers is prohibited; pick-up and delivery service within those points and a radius of one (1) mile thereof as served by Class "A" motor carriers and routes served by existing rail carriers is prohibited.

Commissioner Rowe seconded the motion, which passed unanimously.

(673) In the matter of Docket No. TN1665 - Dennis E. Lenoir dba Dennis Lenoir Trucking, Cutbank, Montana requests permission to suspend PSC No. 3752 for a period of six months, Commissioner Oberg moved to grant the suspension from November 14, 1994 to May 14, 1995.

Class B - Livestock between all points and places in the State of Montana.

Commissioner Fisher seconded the motion, which passed unanimously.

(674) In the matter of Docket No. T-497 - Duck Inn, Inc., Havre, Montana, cancellation of PSC No. 9189, for failure to maintain required liability insurance. An Order to Show Cause has been sent with no response.

Class B - Passengers between all points and places within Hill, Chouteau, Blaine, Phillips and Liberty Counties. Limitations: 1) Transportation of railroad crews is prohibited. 2) Transportation must both originate and terminate at the Duck Inn, Havre, Montana. 3) Transportation is limited to that utilizing vehicles with a rated seating capacity of at least twelve passengers.

Commissioner Oberg moved to cancel PSC No. 9189. Commissioner Fisher seconded the motion, which passed unanimously.

(675) In the matter of Docket No. T-508 - Robert W. Hunt dba Bob's Mobile and Modular Home Movers, Butte, Montana, cancellation of PSC No. 9321, for failure to maintain required liability and cargo insurance. An Order to Show Cause has been issued with no response.

Class B - Mobile and modular homes and all additions 1) between all points and places within a seventy (70) mile radius of Butte, Montana and; 2) from points within Butte, Montana and a seventy (70) mile radius to all points in Montana and; 3) from all points in Montana to points within Butte, Montana and a seventy (70) mile radius thereof.

Commissioner Fisher moved to cancel PSC No. 9321. Commissioner McCaffree seconded the motion, which passed unanimously.

(676) In the matter of Docket No. T-495 - Vern Buller, Busby, Montana, cancellation of PSC No. 4416, for failure to maintain required liability insurance. An Order to Show Cause has been issued with no response.

Class C - All types of buildings between all points and places in the State of Montana.

Commissioner McCaffree moved to cancel PSC No. 4416. Commissioner Rowe seconded the motion, which passed unanimously.

(677) In the matter of Docket No. TN1663 - Schelko, Inc. dba "A"--Limo Limousine Co., Billings, Montana has filed an application requesting to publish reduced rates and charges of between 5% and 25%, in Passenger Tariff No. 3. The proposed rate changes are to become effective on short notice.

| | | | | |
|-------------------------------|-----------|----------|----------|----------|
| Super Stretch Limo | Present - | \$55.00 | Proposed | \$45.00 |
| Ultra Stretch Limo | | \$75.00 | | \$65.00 |
| Maximum Stretch | | \$100.00 | | \$85.00 |
| Dinner Rates: Regular Stretch | | \$52.50 | | \$49.50 |
| Super Stretch | | \$67.50 | | \$59.95 |
| Ultra Stretch | | \$97.50 | | \$89.95 |
| Maximum Stretch | | \$127.50 | | \$119.95 |

Commissioner McCaffree moved to approve the tariff filing. Commissioner Rowe seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

BOB ANDERSON, Chairman

BOB ROWE, Vice Chairman

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, November 28, 1994, the following members were present:

Bob Anderson, Chairman
Bob Rowe, Vice Chairman
Dave Fisher, Commissioner
Nancy McCaffree, Commissioner
Danny Oberg, Commissioner

APPEARANCE

Robin McHugh, Wayne Budt, Dan Elliott

(678) In the matter of the Commission's discussion of its contract with Tim Watson; Commissioner McCaffree moved to authorize staff to amend the contract with Tim Watson to allow for a \$4,100 payment to be made. Commissioner Fisher seconded the motion, which passed unanimously.

APPEARANCE

Ron Woods, Denise Peterson

(679) In the matter of Docket No. 94.7.26, a consumer complaint against Mountain Water Co. for improperly applying a rate increase before authorized by Commission order; Commissioner Oberg moved to defer ruling on the consumer complaint and include it in the general rate case for consideration; advise Mountain Water to account for disputed revenues, and notify parties they are requested to brief the legality of disputed language in their briefing of the general rate case. Commission Rowe seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Martin Jacobson, Bonnie Lorang

(680) In the matter of the Commission's discussion of litigation of federal law pre-empting intrastate motor carrier regulation; Commissioner Oberg moved to join as a party the law suit filed in Oklahoma seeking reversal of federal legislation deregulating certain

intrastate motor carrier regulation. Commissioner McCaffree seconded the motion, which passed. Commissioners Oberg, McCaffree, Fisher and Anderson voted aye. Commissioner Rowe abstained.

APPEARANCE

Ron Woods, Denise Peterson

(681) In the matter of Docket No. 94.1.3 - Grant Creek Water Co. and motion for reconsideration; Commissioner Rowe moved to deny the Motion of Grant Creek Water for reconsideration and approve the order as drafted. Commissioner Fisher seconded the motion, which passed unanimously.

Commissioner Rowe moved to approve Grant Creek's request to keep the docket open. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Denise Peterson

(682) In the matter of Commission's discussion of a request from Burlington Norther to file comments with the ICC on a potential merger of the Union Pacific - Sante Fe Railroad; Commissioner Rowe moved to have the Commission inform the ICC that the Commission urges careful consideration and investigation of the Voting Trust proposed by the Union Pacific. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE

Bonnie Lorang, Martin Jacobson, Wayne Budt

(683) In the matter of Docket No. TN1654 - the Commission's discussion of a proposal for legislation to regulate public landfills; Commissioner Fisher moved to withdraw from consideration from the Public Service Commission legislative efforts any legislation to regulate landfills as public utilities. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE

Joel Tierney, Dan Elliott

(684) In the matter of Docket No. 94.8.30 - the Commission's discussion of interim rate relief for the Montana Power Company; Commissioner Fisher moved to approve an interim rate increase for the Montana Power Company of approximately \$7.6 million as calculated by staff with certain adjustments as outlined in their memorandum. Commissioner Oberg seconded the motion, which passed. Commissioners Oberg, Anderson and Fisher voted aye. Commissioners Rowe and McCaffree dissented.

There being no further business to come before the Commission the meeting was adjourned.

BOB ANDERSON, Chairman

BOB ROWE, Vice Chairman

DAVE FISHER, Commissioner

NANCY McCAFFREE, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, November 28, 1994, the following members were present:

Bob Anderson, Chairman
Bob Rowe, Vice Chairman
Dave Fisher, Commissioner
Nancy McCaffree, Commissioner
Danny Oberg, Commissioner

APPEARANCE

Mike Lee, Robin McHugh

(685) In the matter of OCC#2; Commissioner Oberg moved to direct staff to draft a final order. The order, which implements a 3 year experimental program ending December 31, 1997 of relaxed

interexchange carrier regulation which revises current regulation by foregoing MARS, discontinuing carrier access charge flow throughs and price lists should be effective upon 7 days notice unless challenged. Promotions should be offered only as part of a tariff. The Commission should continue to exercise full jurisdiction over customer complaints and GAAP should continue as the accounting method. Commissioner Fisher seconded the motion, which passed. Commissioners Oberg, Fisher, McCaffree and Anderson voted aye. Commissioner Rowe dissented.

APPEARANCE

Martin Jacobson, Robin McHugh, Mike Sheard, Kate Whitney

(686) In the matter of Docket No. 94.2.5 - the Commission's discussion of Extended Area Service (EAS); Commissioner McCaffree moved to grant the motion of Montana Telecommunications Association to bifurcate the schedule and direct staff to hold and attorneys conference to amend procedural schedule. Commissioner Fisher seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

BOB ANDERSON, Chairman

BOB ROWE, Vice Chairman

DAVE FISHER, Commissioner

NANCY McCaffree, Commissioner

DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)